| 1 | Sarah E. Piepmeier, Bar No. 227094 | |
|---------------------------------|--|---|
| 2 | SPiepmeier@perkinscoie.com Elise Edlin, Bar No. 293756 | |
| 3 | EEdlin@perkinscoie.com PERKINS COIE LLP | |
| 4 | 505 Howard Street, Suite 1000 | |
| 5 | San Francisco, California 94105 Telephone: +1.415.344.7000 | |
| 6 | Facsimile: +1.415.344.7050 | |
| 7 | Janice L. Ta (appearance <i>pro hac vice</i>) JTa@perkinscoie.com | |
| 8 | PERKINS COIE LLP 405 Colorado Street, Suite 1700 | |
| 9 | Austin, Texas 78701 | |
| 10 | Telephone: +1.737.256.6100 Facsimile: +1.737.256.6300 | |
| 11 | | |
| 12 | Attorneys for Defendant NETFLIX, INC. | |
| 13 | UNITED STATES DISTRICT COURT | |
| 14 | NORTHERN DISTRICT OF CALIFORNIA | |
| 15 16 | OAKLAND DIVISION | |
| 17 | LAURI VALJAKKA, | Case No. 4:22-cv-01490-JST |
| 18 | Plaintiff, | DECLARATION OF SARAH E. |
| 19 | v. | PIEPMEIER IN SUPPORT OF PARTIES' JOINT STIPULATION FOR EXTENSION OF TIME FOR DEFENDANT TO |
| 20 | NETFLIX, INC., | RESPOND TO PLAINTIFF'S SECOND AMENDED COMPLAINT |
| 21 | Defendant. | Judge: Hon. JON S. TIGAR |
| 22 | | Judge. Holl. John B. Hohit |
| 23 | | |
| 24 | | |
| 25 | | |
| 2627 | | |
| 28 | | |
| _0 | I | 1 |

3

7

8

5

13 14

15 16

17

18 19

20

21 22

23

25

24

26 27

28

Declaration of Sarah E. Piepmeier

I, Sarah E. Piepmeier, hereby declare:

- 1. I am an attorney with the law firm Perkins Coie LLP, based in San Francisco, California, and am the lead counsel representing Defendant Netflix, Inc. I have personal knowledge of the facts set forth in this declaration and am competent to testify.
- I am submitting this declaration in support of the Parties' Joint Stipulation and [Proposed] Order to Extend Time for Defendant to Respond to Plaintiff's Second Amended Complaint pursuant to Northern District of California Civil Local Rule 6-2.
- 3. On September 13, 2021, Plaintiff Lauri Valjakka ("Plaintiff" or "Valjakka") served Defendant Netflix, Inc. ("Defendant" or "Netflix") with a Complaint alleging infringement of U.S. Pat. No. 8,495,167 in the Western District of Texas. Valjakka then filed its First Amended Complaint on January 3, 2022, adding U.S. Pat. No. 10,726,102 to its allegations. The case was voluntarily transferred to the Northern District of California on March 8, 2022. The Parties agreed to a deadline of May 16, 2022 for Netflix to respond to Valjakka's First Amended Complaint, and the Court ordered this deadline on May 3, 2022
- 4. Valjakka served Netflix with its Second Amended Complaint on May 12, 2022. Under Fed. Civ. P. 15(a)(3), Netflix's deadline to respond to Valjakka's Second Amended Complaint was May 26, 2022.
- 5. Netflix previously sought and received one extension of time in this case. It filed an unopposed administrative motion to extend the time to hold the Initial Case Management Conference from April 19, 2022 to May 3, 2022 because lead counsel was out of the country. (Dkt. 29, as granted Dkt. 32).
- 6. On May 14, 2022, I emailed opposing counsel to address the timing of Netflix's response to Valjakka's Second Amended Complaint. Counsel for Valjakka, Mr. Ramey, replied that Plaintiff agrees to Netflix's request for a fourteen (14) day extension to file its response to Plaintiff's Second Amended Complaint, until June 9, 2022.

| 1 | 7. Netflix requests, and Valjakka agrees to, this two-week extension of its responsive | |
|----|---|--|
| 2 | pleading deadline in order for Netflix to investigate the new allegations and prepare its response. | |
| 3 | The requested time modification would extend the date set for Netflix to respond to Valjakka's | |
| 4 | Second Amended Complaint by two weeks (until June 9, 2022) and does not modify any other | |
| 5 | deadlines in the Court's Scheduling Order. | |
| 6 | | |
| 7 | I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true | |
| 8 | and correct to the best of my knowledge. | |
| 9 | Executed on May 18, 2022 in San Francisco, California. | |
| 10 | | |
| 11 | /s/ Sarah E. Piepmeier Sarah E. Piepmeier | |
| 12 | | |
| 13 | | |
| 14 | | |
| 15 | | |
| 16 | | |
| 17 | | |
| 18 | | |
| 19 | | |
| 20 | | |
| 21 | | |
| 22 | | |
| 23 | | |
| 24 | | |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |